

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

GRATEFUL DEAD PRODUCTIONS, et al.,  
Plaintiffs,  
v.  
WILLIAM E. SAGAN, et al.,  
Defendants.

Case No.: C 06-7727 (JW) PVT

**INTERIM ORDER RE PLAINTIFF'S  
MOTION TO COMPEL**

On May 22, 2007, Plaintiffs filed a motion to compel.<sup>1</sup> Defendants opposed the motion. Having reviewed the papers submitted by the parties, the court finds it appropriate to issue this interim order. Based on the moving, opposition and reply papers submitted,

IT IS HEREBY ORDERED that Plaintiffs' motion is DENIED without prejudice as to the interrogatories. No later than July 17, 2007, the parties shall meet and confer regarding the manner of calculating the number of interrogatories and a reasonable number of interrogatories. No later than July 19, 2007, the parties shall file either a joint statement of an agreed upon proposed manner for calculating the number of interrogatories and the agreed number of interrogatories (including a

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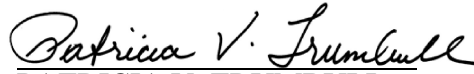
<sup>1</sup> The holding of this court is limited to the facts and the particular circumstances underlying the present motion.

1 statement of how the interrogatories already served should be counted), or, to the extent the parties  
2 cannot agree, their respective proposals. This is a complex lawsuit with numerous parties, numerous  
3 claims and counterclaims, and numerous items of intellectual property in dispute. Thus, a far greater  
4 number of interrogatories are warranted than is usually the case. While the court expects the parties  
5 to be efficient with their interrogatories, the court also intends to ensure that the parties are able to  
6 obtain the information they reasonably need to litigate this case.

7 IT IS FURTHER ORDERED that this order is without prejudice to Plaintiff filing a new  
8 motion to compel as to the interrogatories for which Defendants supplemented their answers after  
9 this motion was filed. Prior to filing any such new motion to compel, Plaintiff's counsel shall meet  
10 and confer with Defense counsel regarding any alleged deficiencies in Defendants' supplemental  
11 answers.

12 IT IS FURTHER ORDERED that the hearing will go forward on July 10, 2007 only with  
13 regard to the 17 document requests in dispute.

14 Dated: 6/28/07

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16 PATRICIA V. TRUMBULL  
17 United States Magistrate Judge  
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